

MAKHADO MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE FORTY FOURTH (44TH) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 26 JULY 2007 AT 17:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT.

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PRESENT

Councillors

BALADZI, P
BALOYI, R S
BOPAPE, M B
CHAYA, A A
DU PLOOY, A
DZHOMBE, J
GUNDULA, A S
HELM, M A
HLONGWANE, B F
HOORZUK, J
KUMALO, J D
LEBEA, M E
LOWANE, L B
MABILA, M N
MABOHO, N K
MABOHO, T E
MACHOVANI, R G
MADUWA G
MAGUGA, S G
MAHANI, M F
MAHLAULE, N V
MAHWAI, S J
MAKANANISE, M M
MAKHADO, M H
MAKHADO, M N
MAKHERA, M A
MAKHOMISANI, S E
MALETE, D
MANGANYI, S D S
MAPHALA, O S
MASHABA, T G

MASHAU, L P
MASUKA, S
MATAMELA, N S
MATODZI, A N
MATUMBA, J
MAUBA, K D
MBOYI, M D
MUDAU, T J
MUFAMADI, M R
MUKHAHA, A J
MUNUNGUHALA, M L
MUROVHI, N J
MULOVHEDZI, M D
MUTAVHATSINDI, F D
MUVHUMBE, M A
NCHAUBA, T G
NDHLIWAYO, B T
NEMALEGENI, P R J
NEPHAWE, K P
NGOBENI, E H
NGOBENI N E
NTHULANE, L T
RADAMBA, M S
RAMASHIA, N G
REKHOTSO, S M
REYNEKE P Q
RIKHOTSO, F J
SELEPE, M R
SIKHUTSHI, P
SIPHUMA, A L
SMALLE, J F
TSHAVHUYO, T G

Traditional Leaders

HOSI MUKHARI, T J
KHOSI NESENGANI, T P
KHOSI MASHAU, T R V
KHOSI SINTHUMULE, S E

HOSI MUKHARI, S T
KHOSI MASHAMBA, N T L
KHOSI MASAKONA, M C

Officials

A F MUTHAMBI	(MUNICIPAL MANAGER)
N P MAGWALA	(DIRECTOR COMMUNITY SERVICES)
S M DU TOIT	(ACTING DIRECTOR CORPORATE SERVICES)
D A MASENGANA	(DIRECTOR SPECIAL PROJECTS)
M MAPHOLI	(DIRECTOR TECHNICAL SERVICES)
V E TSHIKHUDO	(ACTING DIRECTOR FINANCE)
M K MASINDI	(ADMINISTRATIVE OFFICER: COMMITTEES)
J LUKHELI	(COUNCILLORS AFFAIRS OFFICER)

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1. OPENING

The Speaker, Cllr J Hoorzuk requested the house to observe a moment of silence, whereafter she declared the meeting officially opened.

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED -

THAT leave of absence be granted in accordance with the provisions of section 31(2) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) in respect of the Council meeting held on 26 July 2007 to Cllrs P Phaswana, W N Mashele, F F Rumani, D Ramudzuli, H A Mashamba, N C X Honwana, A G Ngwana.

REMARK:

Cllrs. R G Nkanyani, K Mavhungu, R T Makhubele as well as Traditional Leaders Hosi M S Bungeni, Khos S A Mulima, Hosi H M Majosi, Khosi M A Madzivhandila, Khosi J Baloyi, Khosi V C Ramabulana and Khosi M W Netsianda did not sign the register and it cannot be confirmed that they were present at the meeting.

3. OFFICIAL ANNOUNCEMENTS

3.1 Quarterly Report: VDM: Cllr M E Lebea, the Co-ordinator would submit a report to administration for processing and generating an item to be considered at the next Council meeting.

3.2 The Speaker announced that there would be a capacity building course for councillors conducted by RTI from 3 to 5 August 2007.

4. PROPOSAL OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER:

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

5.1 Cllr A A Chaya congratulated Cllr F P Mdaka with his election as the Executive Mayor of Vhembe District Municipality.

5.2 Cllr A A Chaya congratulated Mr Fashion World of Ladium for donating three (3) boreholes in Thohoyandou municipal area.

- 5.3 Cllr N S Matamela congratulated the Mayor as well as Cllr N E Maboho for resolving the dispute between the Chief and SANCO of Ha-Matsa Village.
- 5.4 The Mayor, Cllr T G Mashaba congratulated the administrative component for the excellent completion of the project of surfacing internal streets in Louis Trichardt Extension 9.
- 5.5 Cllr M D Mulovhedzi congratulated Khosi Vho N J Mashamba for installing Gota N J Mashamba in the Bush Park village.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon a proposal by Cllr M M Makhado, duly seconded by Cllr M E Lebea, it was

RESOLVED -

THAT the minutes of the 43rd Meeting of the Council held on 10 May 2007, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.2 REMARK:

Upon a proposal by Cllr P Sikhutshi, duly seconded by Cllr K D Mauba, it was

RESOLVED -

THAT the minutes of the 45th Special Meeting of the Council held on 28 May 2007, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.3 REMARK:

Upon a proposal by Cllr N J Matubma, duly seconded by Cllr A N Matodzi, it was

RESOLVED -

THAT the minutes of the 46th Special Meeting of the Council held on 16 July 2007, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN

The following questions dated 30 May 2007 was received from Cllr J F Smalle:

(i) Return of attendance of meetings

“Standard Standing Orders of Section 91bis (1) of the Local Government Ordinance, 1939, Administration Notice 1261 26 October 1988.

Section 54, the Town Secretary shall prepare annually and include in the agenda of the meeting of the council held in terms of section 16(1) of the Ordinance, a return showing the attendance of each member at meetings of the council and committees.

1. *Why was council not provided with the relevant information?*
2. *Please supply council with the requested information."*

REMARK:

The Chairperson of the Executive Committee, Cllr T G Mashaba, responded as follows:

“In terms of Clause 9(4) of Council’s Standing Orders I, in my capacity as Chairperson of the Executive Committee, wish to reply to the Questions received as follows:

To question 1

Section 16 (1) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) dictates the annual election of a mayor of a council. The said Section 16(1) is substituted for section 48 of the Local Government: Municipal Structures Act, 1998, as amended, in terms whereof the election of a mayor is dictated, term of office which is for a term when the next municipal council is declared elected.

The Act supersedes the Ordinance and therefore there is no annual election of a mayor. A return showing the attendance of each member at meetings of the council and committees was submitted at the annual meeting during which a mayor was elected.

To question 2

I have nevertheless requested the Municipal Manager to submit a return showing attendance of each member at meetings of council and committees per financial year cycle and this will forthwith also form part of the Annual Oversight Report of Council.”

(REMARK: For the full report that shows attendance see item A.54.26.07.07 as recorded in this Minutes.)

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF THE EXECUTIVE COMMITTEE: MAY 2007, JUNE 2007 AND JULY 2007

9.1 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of May 2007 to July 2007.

**The report of the 180th Executive Committee meeting held on 22 May 2007.
 The report of the 181st Executive Committee meeting held on 22 May 2007.
 The report of the 182nd Executive Committee meeting held on 28 May 2007.
 The report of the 183rd Executive Committee meeting held on 28 June 2007.
 The report of the 184th Executive Committee meeting held on 16 July 2007.
 The report of the 185th Executive Committee meeting held on 19 July 2007.
 The report of the 186th Executive Committee meeting held on 24 July 2007.**

ITEM A.41(a).22.05.07

**DRAFT IDP 2007/2008
 (15/7/1)**

REMARK:

This item was referred as item B.55(a).22.05.07.

ITEM A.42.26.07.07**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 APRIL 2007
(6/1/1(2006/07))**

RESOLVED A.42.26.07.07 –

THAT the in-year monitoring financial report of the Acting Director Finance for the month of April 2007 be noted.

MonitoringApril_itm

(ADF)

ITEM A.43.26.07.07**COUNCIL LAND: REQUEST FOR DONATION: PROPOSED CLINIC: DEPARTMENT OF HEALTH & SOCIAL DEVELOPMENT
(7/3/2/1)**

RESOLVED A.43.26.07.07 -

THAT the application of Department Health & Social Welfare, Vhembe District, received from the District Manager for the donation of land in Vleyfontein Township for the purpose of constructing a primary health care clinic for the community of that town, be approved subject to the conditions as fully recorded in the report in this regard.

LandDonate_itm

(DCS)

ITEM A.44.26.07.07**FINANCES: CONTRACTUAL APPOINTMENT: CHIEF FINANCIAL OFFICER SERVICE PROVIDER: PROGRESS REPORT
(5/3/4/3; 13/4; 13/2/4; 8/3/2/1, 6/1/1)**

RESOLVED A.44.26.07.07 -

THAT the progress report of services rendered by Akhile Management Services in offering Financial Management Support to the Department of Finance be noted, as more fully set out in Annexure A attached to the report in this regard.

ProgressAkhile_itm

(ADF)

ITEM A.45.28.05.07**TOWN-PLANNING: APPROVAL OF 2007/2008 TO 2011/2012 IDP
(15/7/1)****REMARK:**

This matter was considered at the 45th Special Council meeting held on 28 May 2007.

ITEM A.46.28.05.07**FINANCES: FINAL SUBMISSION OF ESTIMATES 2007/2008
(6/1/1(07/08))****REMARK:**

This matter was considered at the 45th Special Council meeting held on 28 May 2007.

ITEM A.47.26.07.07**FINANCES: WAGE AND SALARY INCREASES 2007/2008 FINANCIAL YEAR
(6/1/1(2007/2008))**

RESOLVED A.47.26.07.07 –

1. THAT Council takes note of Circular No: 02/2007 for Wage and Salary increase: 2007/8 Financial Year issued by South African Local Government Bargaining Council (SALGBC). Attached as “**Annexure A**”. (ADF/DCS)
2. THAT Circular No: 02/2007 for Wage and Salary increase: 2007/8 Financial Year issued by South African Local Government Bargaining Council (SALGBC) be approved for implementation during 2007/8 financial year. (ADF)

SalaryIncreases_itm

ITEM A.48.26.07.07**FINANCES: STOCK TAKE RESULTS: 2005/6 FINANCIAL YEAR ENDING 30 JUNE 2006
(6/1/1(05/06))**

RESOLVED A.48.26.07.07 –

1. THAT Council approves the recognition of the stock that was taken over from Local Government and Housing, and that changes be reflected on the financial record for 2006/7 financial year, for the period ending 30 June 2007, as more fully set out in the Annexure attached to the report in this regard. (ADF)
2. THAT Council approves the adjustment and corrections of stock that has discrepancies, and the changes be effected on the financial records for 2006/7 financial year for the period ending 30 June 2007, as more fully set out in the Annexure attached to the report in this regard. (ADF)
3. THAT the Acting Director Finance compile a report after conducting an investigation on the stock take and that it be tabled back to the Portfolio Committee: Finance and LED.

Stocktaking_itm

(ADF)

ITEM A.49.26.07.07**REPORTS AND SURVEYS: MID-YEAR PERFORMANCE ASSESSMENT: 2006/7 FINANCIAL YEAR: INDIVIDUAL REPORTS: RESPECTIVE MUNICIPAL DEPARTMENTS (10/1/4/1; 10/1/2)**

RESOLVED A.49.26.07.07 -

THAT Council takes note of the six-monthly progress reports for the 2006/7 Financial Year of the five respective section 57 managers as more fully set out in Annexure A to Annexure E attached to the report in this regard, as required in terms of the provisions of the Local Government: Municipal Systems Act, 2000 read with the Local Government: Municipal Finance Management Act, 2003.

MidYear performance 06-07

(DSC)

ITEM A.50.26.07.07**PERSONNEL: PROPOSED REVIEW OF THE ORGANISATIONAL STRUCTURE (5/1/2/1-10)****REMARK:**

This item was referred as item B.103.19.07.07

ITEM A.51.16.07.07**ORGANIZATION: DELEGATED POWERS:**

- (1) EXECUTIVE COMMITTEE
 - (2) MUNICIPAL MANAGER AND HEADS OF DEPARTMENTS
- (2/1/3/2/1; 2/1/3/2/2)

REMARK:

This matter was considered at the Special Council meeting held on 16 July 2007.

ITEM A.52.26.07.07**FINANCES: BUDGET TRANSFER (ROLL-OVER) REQUEST: TECHNICAL SERVICES - ELECTRICAL ENGINEERING: 2006/7 CAPITAL ESTIMATES (6/1/1(06/07) & 6/1/1(07/08))****REMARK:**

Cllr J Dzhombe proposed that roll-over of funds will not be approved in future and instead remedial measures will be taken against administration as roll-over means postponement of service delivery. The proposal was generally accepted and as such is recorded as Council Resolution hereunder.

RESOLVED A.52.26.07.07-

1. THAT due to the information given in this report, the Acting Chief Financial Officer be authorized to rollover the funds as tabled above for the Electrical Engineering Services from the 2006/7 to 2007/8

capital estimates.

(ADF)

2. THAT roll-over of finances would not be approved by Council in future and instead Council would take remedial measure against administration as roll-over of finances meant postponement of service delivery. (MM/ALL DIRS)

Ej/exco_42

ITEM A.53.26.07.07

PERSONNEL: PROGRESS REPORT: TRANSFER OF STAFF: WATER SERVICES PROVIDER [1/1/19, 5/1/1/B, 16/1/2 & 16/1/1]

RESOLVED A.53.26.07.07 -

1. THAT cognizance be taken of the progress with the transfer of the staff pertaining to the retail water services to Makhado Local Municipality. (DCS)
2. THAT note be taken of the business plan that was submitted to the Minister For Provincial and Local Government for the assignment of Makhado Municipality for the function as a Water Services Authority. (DCS)

TransferOfWSP_itm

ITEM A.54.26.07.07

COUNCIL MEETINGS: RETURN OF ATTENDANCE OF MEETINGS: MARCH 2005/06 TO 2006/07 YEAR END (4/2/1)

REMARK:

Cllr M M Makhado, duly seconded by Cllr J Kumalo proposed that the word “forthwith” in paragraph 2 be deleted and be replaced by the word “henceforth” and it is duly recorded as such in the Council Resolution here below.

RESOLVED A.54.26.07.07 -

1. THAT Council takes note and considers the annual show of attendance of Council’s and its Committees’ meetings in the financial cycle from 8 March 2006 to 30 June 2007, as more fully indicated in the annexures attached to the report in this regard, as follows:
 - 1.1 Council meetings – Annexure A
 - 1.2 Executive Committee meetings – Annexure B
 - 1.3 Portfolio Committee meetings – Annexure C. (DCS)
2. THAT in terms of the Municipal Structures Act, 1998 and Council’s Rules and Orders, the following be adopted as Policy, and it be implemented henceforth:

2.1 Councillors who attend less than 70% of the duly convened meetings of Council and its committees per quarter will forfeit 5% of the monthly allowance during the first following quarter.

2.2 Councillors who are absent from duly convened meetings of Council and its committees will forfeit 5% of the monthly allowance outright. (DCS/ADF)

3. THAT the Municipal Manager be instructed to implemented the policy in paragraph 2 with the necessary control mechanisms to ensure accuracy and promptness. (DCS/MM)

AttendanceMeetings_itm

CONFIDENTIAL

ITEM CA.55.26.07.07

PERSONNEL:

1. EXPIRY OF EMPLOYMENT CONTRACT: FEBRUARY 2008: MS A F MUTHAMBI

2. POLICY ON DECISION MAKING

(SP2/23; 5/3/4/1)

REMARK:

Cllr M E Lebea, duly seconded by Cllr P Sikhutshi, proposed that the Executive Committee must in future propose a single collective recommendation to Council and that the matter be held in abeyance for further investigation, as such the proposals are recorded as Council Resolution here below.

RESOLVED CA.55.26.07.07 -

1. THAT the matter be held in abeyance for further investigation by Council. (DCS)

2. THAT it be adopted as policy that the Executive Committee in future submit a single collective recommendation for consideration by Council. (DCS/DSP)

MunManExpiry_itm

CONFIDENTIAL

ITEM CA.56.26.07.07

COUNCIL: COMPOSITION OF EXECUTIVE COMMITTEE

(3/3/1 & 3/3/5)

RESOLVED CA.56.26.07.07

THAT the Independent Electoral Commission be requested to give a written opinion about the composition of Council's Executive Committee and the outcome be submitted to Council

CompositionExco_itm

(DCS)

ITEM A.57.26.07.07**ORGANIZATION: DELEGATED POWERS:**

- (1) EXECUTIVE COMMITTEE
- (2) MUNICIPAL MANAGER AND HEADS OF DEPARTMENTS
(2/1/3/2/1; 2/1/3/2/2)

REMARK:

This matter was referred as item B.104.19.07.07.

ITEM A.58.26.07.07

**COUNCIL COMMITTEES: NAMING COMMITTEE: TERMS OF REFERENCE
(16/5/4, 4/29/1/1)**

RESOLVED A.58.26.07.07

1. THAT the Terms of Reference for the Naming Committee appointed under Council Resolution A.30.12.04.07, be approved as follows:
 - 1.1 The Naming Committee is an ad-hoc advisory committee established in accordance with section 79 of the Municipal Structures Act.
 - 1.2 It must ensure that there is sufficient consultation through public hearings and written comments and provides evidence that stakeholders have been consulted.
 - 1.3 It must ensure that Council apply the principles of the South African National Geographic Council.
 - 1.4 It must recommend all the names in priority order to Council.
 - 1.5 It must provide a detailed motivation and/or supporting documents for the recommended names.
 - 1.6 It must report back on the progress at the Council meeting of October 2007. (DCOMS)

2. THAT it be noted that the Mayor appointed Cllrs B F Hlungwani, L P Mashau, M R Mufamadi, D Malete, F J Rikhotso, P Phaswana, P Sikhutshi, T J Mudau (Chairperson), Hosi T J Mukhari, Khosi M A Madzivhandila, Cllr S J Mahwai and SDS Manganyi as the Naming Committee. (DCS/DCOMS)

TermsOfReference_itm

ITEM A.59.26.07.07

**PERSONNEL: PROPOSED REVIEW OF THE ORGANISATIONAL STRUCTURE
(5/1/2/1-10)**

REMARK:

This item was referred as item B.116(a).24.07.07.

ITEM A.60.26.07.07**PERSONNEL: PERFORMANCE MANAGEMENT: APPROVAL OF TARGETS AND PERFORMANCE AGREEMENTS: MUNICIPAL MANAGER AND DIRECTORS: 2007/8 FINANCIAL YEAR****(6/1/1(06/07), 5/B, 5/5/2/1; 5/2/1/3**

RESOLVED A.60.26.07.07 -

1. THAT the CMCs, KPAs, KPIs, and Performance Agreements and its weighting and rating as more fully set out in Annexure B to Annexure G attached to the report in this regard, be approved as part of the 2007/8 Performance Management System for the incumbents in the posts of Municipal Manager and respective Directors, subject to the following conditions:
 - 1.1 Targets must conform to a realistic timeframe. (ALL DIRS)
 - 1.2 Directors must amend the content of the KPIs to align with realistic timeframes, with due allowance for amongst others, accurate expenditure projections in order to align it with the cash flow projections. (ALL DIRS)
 - 1.3 The bulk of purchases of goods, materials, equipment and furniture be spread over the 1st and 2nd quarters, while the 3rd quarter accommodates the major part of project implementation and completion of projects in the 4th quarter of the financial year. (ALL DIRS)
 - 1.4 The provision of funds for performance bonuses for Section 56 and 57 Managers be referred to the 2007/08 Adjustment Budget. (ADF)

2. THAT the Performance Agreements attached to the report in this regard as Annexure A that must be concluded between the Mayor on behalf of Council and the Municipal Manager, and the Municipal Manager on behalf of Council and incumbents in the respective Director posts, be approved and concluded formally. (DCS)

3. THAT the assessment method and procedure as more fully set out in Annexure A, par 6.7 and 6.8 attached to the report in this regard be approved, and that the Executive Committee be authorized to determine the members of the panel, as well as the actual percentage of package as bonus that would be payable in terms of the Performance Agreement. (DCS)

4. THAT the CMCs, KPAs, KPIs and Performance Agreements as alluded to paragraph 1 above be in line with our cash flow so as to ensure that realistic targets are achieved. (DCS)

ecKPIs2007-2008_itm

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9.2 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of February to May 2007.

**The report of the 180th Executive Committee meeting held on 22 May 2007.
 The report of the 181st Executive Committee meeting held on 22 May 2007.
 The report of the 182nd Executive Committee meeting held on 28 May 2007.
 The report of the 183rd Executive Committee meeting held on 28 June 2007.
 The report of the 184th Executive Committee meeting held on 16 July 2007.
 The report of the 185th Executive Committee meeting held on 19 July 2007.
 The report of the 186th Executive Committee meeting held on 24 July 2007.
 The report of the 187th Executive Committee meeting held on 26 July 2007.**

ITEM B.55.22.05.07

**FINANCES: DISCUSSION OF FINAL DRAFT ESTIMATES 2007/2008
 (6/1/1(2007/2008))**

RESOLVED B.55.22.05.07 –

1. THAT note be taken of the Draft Budget for 2007/2008 financial year. (ADF)
2. THAT in view of the presentation by Akhile Management Services, the members of the Executive Committee consider the Draft Budget 2007/2008 further before the final budget document is formally submitted to the Executive Committee who will present a recommendation to Council on 28 May 2007. (ADF/DSP)

ITEM B.55(a).22.05.07

**DRAFT IDP 2007/2008
 (15/7/1)**

REMARK:

This item was referred from item A.41(a).22.05.07.

RESOLVED B.55(a).22.05.07 –

1. THAT note be taken of the Draft IDP for 2007/2008 financial year. (DSP)
2. THAT the members of the Executive Committee further consider the Draft IDP 2007/2008 before the final IDP document is formally submitted to the Executive Committee who will present a recommendation to Council on 28 May 2007. (DSP)

DraftIDP0708_itm

ITEM B.56.22.05.07 (originally B.56.24.05.07)**TOWN-PLANNING AND CONTROL: APPLICATION FOR PURCHASE, SUBDIVISION AND REZONING OF ERF 41, VUWANI TOWNSHIP
(15/3/8)**

RESOLVED B.56.22.05.07 –

THAT the matter be referred to the next Executive Committee meeting for consideration.

Subdivision41Vuwani_itm

(DCS)

ITEM B.57.22.05.07 (originally B.57.24.05.07)**TOWN PLANNING AND CONTROL: REZONING OF ERVEN 782 AND 784, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 71
(15/4/2/2/1/190 & E. 782 and 784)**

RESOLVED B.57.22.05.07 –

THAT the matter be referred to the next Executive Committee meeting for consideration.

Rezoning_Erven782-784

(DCS)

ITEM B.58.22.05.07 (originally B.58.24.05.07)**TOWN PLANNING AND CONTROL: REZONING OF ERF 85, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 77
(15/4/2/2/1/196 & E85)**

RESOLVED B.58.22.05.07 –

THAT the matter be referred to the next Executive Committee meeting for consideration.

Rezoning_Erf85

(DCS)

ITEM B.59.22.05.07 (originally B.59.24.05.07)**COUNCIL LAND: APPLICATION FOR RENEWAL OF LEASE AGREEMENT: CELL PHONE MAST: DZANANI
(7/3/2/3)**

RESOLVED B.59.22.05.07 –

THAT the matter be referred to the next Executive Committee meeting for consideration.

VodacomDzanani_itm

(DCS)

ITEM B.60.22.05.07 (originally B.60.24.05.07)**PROPERTIES: FUTURE OF PORTION 63 (A PORTION OF PORTION 7), FARM BERGVLIET 288
L.S.: MAKHADO TOWN
(7/3/1/1 & 7/3/2/2/2)**

RESOLVED B.60.22.05.07 –

THAT the matter be referred to the next Executive Committee meeting for consideration.

Voortrekkers_itm

(DCS)

ITEM B.61.28.06.07 (Originally B.61.14.06.07)**TOWN-PLANNING AND CONTROL: APPLICATION FOR A BUSINESS SITE IN VUWANI
TOWNSHIP: ERF 40
(19/14/2)**

RESOLVED B.61.28.06.07 –

1. THAT the application received by Mr M S Mushavhela to purchase and establish a dry cleaning business on erf 40, Vuwani township, be approved subject to the following conditions:
 - 1.1 the applicant will be responsible for payment of installation cost for municipal services
 - 1.2 the Department of Local Government and Housing approve the application to Vuwani township, to purchase and to further rezone it to business. (DCS)
2. THAT the Department of Local Government and Housing be informed of Council's recommendation in this regard. (DCS)
3. THAT the development comply will all health and environmental legislation that may be applicable. Rezoning_Mashavhela (DCS)

ITEM B.62.28.06.07 (Originally B.62.14.06.07)**TOWN-PLANNING AND CONTROL: APPLICATION FOR A COMMUNTY LIBRARY ON ERF
427 VUWANI TOWNSHIP
(7/4/1/3)**

RESOLVED B.62.28.06.07 –

THAT the application received by Mrs MM Tshidada to build a community library on a portion of erf 427, Vuwani township, 4000m², be referred to the Department of Local Government and Housing for consideration, with the following conditions as Council's comments:

1. Council has no objection against the principle of the proposed development. The principle approval of Council must however not be construed as any commitment to fund the project, or to contribute towards defraying development or operational costs as libraries are not a municipal competence dictated by powers and functions of the Local Government: Municipal Structures Act, 1998.

2. Department of Local Government and Housing consent to the selling of the proposed portion of erf 427, Vuwani Township for the intended development purpose, and indicate the market related purchase price
3. Department of Local Government and Housing consider the application to subdivide erf 427, Vuwani township, and to rezone rezone it to suit the intended development
4. the applicant will be responsible for payment of installation cost for municipal services and will be liable for payment of all levies, charges and consumption of municipal services thereafter
5. Proof be submitted regarding funding of the proposed project
6. Should the applicant fail to develop the property according to his intentaion, as indicated more fully on the submitted development plan, within a period three (3) years, the property revert back to Council.

LibraryVuwani_itm

(DCS)

ITEM B.63.28.06.07 (Originally B.63.14.06.07)

**TOWN-PLANNING AND CONTROL: APPLICATION FOR PURCHASE, SUBDIVISION AND REZONING OF ERF 41, VUWANI TOWNSHIP: MR. N MASHABELA
(15/3/8)**

RESOLVED B.63.28.06.07 –

THAT the matter be held in abeyance pending investigations to be conducted by the Municipal Manager, Cllrs L B Lowani and M N Mabila and their findings be submitted to the Executive Committee at its next meeting to be held on 19 July 2007.

(DCS)

ITEM B.64.28.06.07 (Originally B.64.14.06.07)

**TOWN-PLANNING AND CONTROL: APPLICATION FOR A BUSINESS SITE ON A PORTION OF ERF 41 AT VUWANI TOWNSHIP: MR F R NEMANASHI
(15/3/8)**

RESOLVED B.64.28.06.07 –

1. THAT the application received by Mr F R Nemanashi to purchase, subdivide and rezone a portion of erf 41, Vuwani township, 2000m² in extent in order to establish a business be approved subject to the following conditions:
 - 1.1 the applicant will be responsible for payment of installation cost for municipal services
 - 1.2 the Department of Local Government and Housing approve the application to subdivide erf 41, Vuwani township, to purchase such portion and to further rezone it be informed of Council's recommendation as stated in paragraph one above.
 - 1.3 The applicant submits to the Director Corporate Services the location map of the area to be developed.

(DCS)

2. THAT the Department of Local Government and Housing be informed of Council's recommendation in this regard. (DCS)
3. THAT the development comply will all health and environmental legislation that may be applicable. SubdivisionErf41_Vuwani(Nemanashi) (DCS)

ITEM B.65.28.06.07 (Originally B.65.14.06.07)

TOWN-PLANNING AND CONTROL: APPLICATION FOR A BUSINESS SITE ON A PORTION OF ERF 41 AT VUWANI LOCATION: INITIATIVE SA INVESTMENTS (PTY) LTD (15/3/8)

RESOLVED B.65.28.06.07 -

THAT the matter be held in abeyance pending investigations to be conducted by the Municipal Manager, Cllrs L B Lowani and M N Mabila and their findings be submitted to the Executive Committee at its next meeting to be held on 19 July 2007. (DCS)

ITEM B.66.28.06.07 (Originally B.66.14.06.07)

TOWN PLANNING AND CONTROL: IN PRINCIPLE APPROVAL FOR THE REZONING OF PORTION 2 (A PORTION OF PORTION 1) OF ERF 23, LOUIS TRICHARDT TOWNSHIP (E.23/2)

RESOLVED B.66.28.06.07 –

THAT the application of Developlan on behalf of their client Mr and Mrs G J van Staden to obtain in principle approval to rezone Portion 2 (a portion of portion 1) of erf 23, Louis Trichardt township from “Residential 1” to “Business 1” not be approved, but that the applicant be informed that in principle approval be granted to apply for “Business 3” rights subject to the following terms and conditions:

1. a rezoning application be submitted in terms of Section 56 of the Town –planning and Township Ordinance, Ordinance 56 of 1986
2. the maximum F.A.R. of 1.0 be allowed
3. all development must be done in terms of the Louis Trichardt Town-planning Scheme, 2000
4. the applicant be liable for payment of engineering services contributions should the application be approved.
5. approval of the in principle approval not be taken as approval of the application.

Rezoning_Erf23

(DCS)

ITEM B.67.28.06.07 (Originally B.67.14.06.07)**TOWN-PLANNING AND CONTROL: APPLICATION FOR REZONING AND CONSOLIDATION OF ERVEN 116 AND 117, VUWANI TOWNSHIP (E.116 & E.117 Vuwani)**

RESOLVED B.67.28.06.07 –

THAT the application received from Mr Mukwevho Rapfumbedzani for a the consolidation and rezoning of erven 116 and 117, Vuwani township, be approved subject to the conditions as stated in the recommendation hereof:

1. Applicant Mr Mukwevho Rapfumbedzani negotiate the purchase of erf 117, Vuwani township from the current owner and that all legal issues be dealt with in this regard and all cost be for the account of the applicant.
2. Department of Local Government and Housing approve the application to purchase, consolidate and rezone/ remove the restrictions on erf 116 and 117, Vuwani township in order to establish a overnight accommodation facility on the consolidated property and all cost in this regard be for the account of the applicant.
3. Department of Local Government and Housing be informed of Council's recommendation in this regard.

RezoningErf116and117

(DCS)

ITEM B.68.28.06.07 (Originally B.68.14.06.07)**COUNCIL LAND: APPLICATION FOR PUBLIC PRIVATE PARTNERSHIP, DEVELOPMENT OF RETAIL SHOPPING CENTRE: REMAINDER OF ERF 427, VUWANI TOWNSHIP (7/3/2/1)**

RESOLVED B.68.28.06.07 –

THAT the matter be held in abeyance for a presentation to the Executive Committee by Oasis (Pty) Ltd and submission of the site development plan at the next Executive Committee meeting scheduled to be held on 19 July 2007.

(DSP)

ITEM B.69.28.06.07 (Originally B.69.14.06.07)**COUNCIL LAND: APPLICATION FOR LEASE OF COUNCIL LAND: LOUIS TRICHARDT EXTENSION 9 TOWNSHIP (7/3/2/3)**

RESOLVED B.69.28.06.07 –

THAT the request received from MTN to lease a portion of a property adjacent to the water reservoir in Louis Trichardt extension 9 township be not approved, but that a portion of erf 3180, Louis Trichardt extension 9 township adjacent to the reservoir be in terms of section 79(18) of the Local Government Ordinance (Ordinance 17 of 1937) approved, subject to the following terms and conditions:

1. a lease agreement be concluded between Council and MTN Cellular for the lease of the property.
2. Council acquires a market related rental for the property and advertises its intention to lease the land.
3. the Municipal Manager be authorized to sign the necessary consent as well as agreements in this regard.
4. the necessary buildings plans be approved before any constructions take place on the property.

MTNReservoir_itm

(DCS)

ITEM B.70.28.06.07 (Originally B.70.14.06.07)

**TOWN PLANNING AND CONTROL: REZONING OF ERF 113, LOUIS TRICHARDT TOWNSHIP:
IN PRINCIPLE APPROVAL
(15/3/15, E113)**

RESOLVED B.70.28.06.07 –

THAT the matter be referred back for inspection in loco by Portfolio Councillor Corporate Services and his team and the outcome be submitted to the next Executive Committee meeting. (DCS)

ITEM B.71.28.06.07 (Originally B.71.14.06.07)

**COUNCIL LAND: PROPOSED LEASE: PORTION OF PARK 2596, LOUIS TRICHARDT
EXTENSION 5 TOWNSHIP
(E2596)**

RESOLVED B.71.28.06.07 –

THAT the application received from Desai Cash and Carry to lease erf 2596, Louis Trichardt extension 5 township for the purposes of utilizing such for provision of diesel and fuel to busses and taxis be not approved, due to reasons mentioned in the report.

Desai_itm

(DCS)

ITEM B.72.28.06.07 (Originally B.72.14.06.07)

**COUNCIL LAND: PROPOSED LEASE: PORTION OF MUNICIPAL SIDEWALK ABUTTING
ERF1888, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP
(7/3/2/1 & E1888)**

RESOLVED B.72.28.06.07 –

THAT the application of Mr G N Ramabulana that was received on 24 April 2007 for the lease of Municipal land, i.e a portion of the road reserve adjacent to erf 1888, Louis Trichardt Extension 2 township be approved, subject to the following conditions:

1. The land be made available by means of a formal lease agreement for a period not exceeding 9 years and 11 months.
2. The intention to lease the land be advertised as dictated by Local Government Ordinance, 1939 (Ordinance 17 of 1939)

3. A registered valuer be appointed to determine a market related rental that will be payable by the applicant. The rental will escalate annually by a rate equal to 10% per annum.
4. The annual rental must cover at least Council's cost of processing accounts to the lessee.
5. All costs incidental to the matter be carried by the applicant.
6. No structures may be erected on the lease area and it may only be used for gardening purposes.
7. The lease of the actual area of the sidewalk may not interfere with the safety of pedestrians by forcing them to walk in the road instead of on the sidewalk. Sufficient space must be left on the sidewalk for pedestrian traffic.
8. The lessee must further indemnify Council against any claims as a result of the use and cannot claim for compensation in the event that the lease agreement be cancelled by Council or for expenditure incurred at the expiry of the lease period. Council retains the right to at any given time cancel the lease agreement.
9. The approval may only be implemented upon confirmation by the Director Community Services and the Director Technical Services that the remaining portion of the sidewalk situated in Boabab Street abutting erf 1888, Louis Trichardt Extension 2 township would be sufficient for the safe use of pedestrians without compromising the right to safe and unhindered use of public sidewalks.

SidewalkErf1888_itm

(DCS)

ITEM B.73.28.06.07 (Originally B.73.14.06.07)

PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: ALL MUNICIPAL DEPARTMENTS: 2007/8 FINANCIAL YEAR (6/1/1(07/08), 5/B, 5/5/2/1; 5/2/1/3)

RESOLVED B.73.28.06.07 –

THAT the matter be referred back to the respective Departmental Heads for consultation with their respective Portfolio Councillors before it is considered by the Executive Committee at its next meeting.

(DCS)

ITEM B.74.14.06.07

TOWN-PLANNING AND CONTROL: APPLICATION FOR PURCHASE, SUBDIVISION AND REZONING OF ERF 41, VUWANI TOWNSHIP (15/3/8)

RESOLVED B.74.14.06.07 –

THAT the matter be held in abeyance pending further investigation.

Subdivision41Vuwani_itm

(DCS)

ITEM B.75.14.06.07**TOWN PLANNING AND CONTROL: REZONING OF ERVEN 782 AND 784, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 71 (15/4/2/2/1/190 & E. 782 and 784)**

RESOLVED B.75.14.06.07 -

THAT the application of Planning Concept on behalf of their client Mr T O Munonde to rezone erven 782 and 784, Louis Trichardt township from “Residential 1” to “Residential 4” be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986), subject to the following conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
3. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
4. Development of the property must be in terms of the restrictions of the Louis Trichardt Town-planning Scheme, 2000.

Rezoning_Erven782-784

(DCS)

ITEM B.76.14.06.07**TOWN PLANNING AND CONTROL: REZONING OF ERF 85, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 77 (15/4/2/2/1/196 & E85)**

RESOLVED B.76.14.06.07 -

THAT the application of Developlan on behalf of their client Ritz Trading1030CC t/a Realty 1 Elk submitted to rezone erf 85, Louis Trichardt township from “Residential 2” to “Business 2” be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) subject to the following conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
3. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
4. Development of the property must be in terms of the restrictions of the Louis Trichardt Town-planning Scheme, 2000.

Rezoning_Erf85

(DCS)

ITEM B.77.14.06.07**COUNCIL LAND: APPLICATION FOR RENEWAL OF LEASE AGREEMENT: CELL PHONE MAST: DZANANI
(7/3/2/3)**

RESOLVED B.77.14.06.07 –

THAT the request received from Vodacom (Pty) Ltd to extend the lease agreement of a property in Dzanani township be approved subject to the following terms and conditions:

1. The conditions as contained in the original lease agreement be applicable
2. An addendum to the lease agreement be concluded whereby the lease period be extended for a period of five years as from 1 June 2007.
3. The rental be reviewed in line with Department Finances directive and calculations, with the standard annual escalation.

VodacomDzanani_itm

(DCS)

ITEM B.78.14.06.07**PROPERTIES: FUTURE OF PORTION 63 (A PORTION OF PORTION 7), FARM BERGVLIET 288 L.S.: MAKHADO TOWN
(7/3/1/1 & 7/3/2/2/2)**

RESOLVED B.78.14.06.07 –

1. THAT it be noted that the local representative of the Voortrekkers was not vested with power to present Portion 63 (a portion of portion 7) Farm Bergvliet 288 L.S. for sale and that Executive Committee Resolution B. 106.13.07.06 must therefore not be implemented further, pending the outcome of paragraph 2 below. (DCS)
2. THAT note be taken of the contents of a letter received on 25 April 2007 from the Member: Executive Committee, Die Voortrekkers Edms Bpk in which Council is informed that the Voortrekkers was not interested in selling its property but would enter into direct discussions with the Land Claims Commissioner, Limpopo about the future of Portion 63 (a portion of portion 7), Farm Bergvliet 288 L.S.

Voortrekkers_itm

(DCS)

ITEM B.79.28.06.07**TOWN PLANNING AND CONTROL: REZONING OF ERF 66, LOUIS TRICHARDT TOWNSHIP:
(E.66 & 15/3/15)**

RESOLVED B.79.28.06.07 -

THAT the application from Developlan, on behalf of their client Forest Hill Trading 19 CC, to rezone erf 66, Louis Trichardt township from “Residential 1” to “Residential 4” be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) with the following annexure:

- Maximum coverage 60%
- Maximum FAR 1.0
- Maximum height – 2 storeys
- Parking – 1 covered and if required by the local government 1 paved per dwelling units
- Building restriction line 5m street front 3m on sides

And subject to the following conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
3. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.

Rezoning_Erf 66

(DCS)

ITEM B.80.28.06.07**TOWN-PLANNING: INFRASTRUCTURE BACKLOG FUNDING BY EU-NEPAD
(15/7/1)****REMARK:**

This matter was not considered at the meeting of 28 June 2007.

ITEM B.81.28.06.07**COUNCIL LAND: PROPOSED SALE OF ERVEN 1953 AND 3456, LOUIS TRICHARDT
TOWNSHIP EXTENTION 2: DEVELOPMENT PROPOSAL
(E1953 & E3456)****REMARK:**

This matter was not considered at the meeting of 28 June 2007.

ITEM B.82.28.06.07

COUNCIL LAND: PROPOSED PRINCIPLE APPROVAL: LEASE OF LAND TO ERECT OUTDOOR BILLBOARDS
(15/3/9; 7/3/2/3)

REMARK:

This matter was not considered at the meeting of 28 June 2007.

ITEM B.83.28.06.07

FINANCES: VALUATION ROLL 2008-2012 FOR MUNICIPAL JURISDICTION
(6/2/4/1; 8/3/2/689)

REMARK:

This matter was not considered at the meeting of 28 June 2007.

ITEM B.84.28.06.07

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 31 MAY 2007
(6/1/1(2006/07))

REMARK:

This matter was not considered at the meeting of 28 June 2007.

ITEM B.85.28.06.07

PERSONNEL: FINANCES: CONTRACTUAL APPOINTMENT: CHIEF FINANCIAL OFFICER SERVICE PROVIDER: INTERIM MEASURE: DEPARTMENT FINANCE
(5/3/4/3; 13/4; 13/2/4; 8/3/2/1, 6/1/1)

REMARK:

This matter was not considered at the meeting of 28 June 2007.

ITEM B.86.28.06.07

PERSONNEL: EMPLOYMENT POLICY, PRACTICE AND PROCEDURES: MANAGEMENT OF OVERTIME
(5/5/3/B & 5/5/3/5)

REMARK:

This matter was not considered at the meeting of 28 June 2007.

ITEM B.87.28.06.07

DOMESTIC MATERIALS: OUTSOURCING: REFUELING OF COUNCIL VEHICLE SERVICES
(8/3/2/711)

REMARK:

This matter was not considered at the meeting of 28 June 2007.

ITEM B.88.28.06.07**RECORDS: ACCESS TO INFORMATION MANUAL
(9/B & 1/3/22/2)****REMARK:**

This matter was not considered at the meeting of 28 June 2007.

ITEM B.89.19.07.07**COUNCIL LAND: DEVELOPMENT OF SOUTH OF PRETORIUS STREET: TOP SEAL
(7/3/2/1)**

RESOLVED B.89.19.07.07 -

THAT the matter be deferred to the Portfolio Committee: Corporate Services for further consideration.

TopSeal_itm

(DCS)

ITEM B.90.19.07.07**COUNCIL LAND: PROPOSED LEASE OF ERF 2490, ELTI VILLAS, EXTENSION 1 TOWNSHIP:
BLACK LEOPARDS FOOTBALL CLUB
(7/3/2/3/11 & EE.2490)**

RESOLVED B.90.19.07.07 -

1. THAT erf 2490, Elti Villas Extension 1 township be leased to Black Leopards Football Club for a period of five (5) years from the date of this resolution, subject to the following conditions:
 - 1.1 a formal lease agreement be concluded between Council and the Club, as more fully set out in Annexure B attached to the report in this regard
 - 1.2 the lease agreement must clearly define the property voetstoots.
 - 1.3 will exclude the swimming pool area.
 - 1.4 the lessee would be solely responsible for the maintenance repairs and improvement responsibilities to the lessee, without claim of compensation by Council at end of lease term, of the property to the satisfaction of the Council's Department of Technical Services.
 - 1.5 activities under this use may not cause a nuisance to the residents in the neighbourhood
 - 1.6 a market related rental will be payable
 - 1.7 the exact lease are is indicated on Annexure B attached to the report in this regard.

(DCS)
2. THAT a registered valuator be appointed to determine a market related rental payable by the lessee and that the intention to lease the property be advertised in the local media as required in terms of the provisions of legislation.

(DCS)

BlackLeopards_itm

ITEM B.91.19.07.07**COUNCIL LAND: PROPOSED SALE:**

1. **ERF 3416, LOUIS TRICHARDT EXTENSION 5 TOWNSHIP**
2. **ERVEN 2564 AND 2565, LOUIS TRICHARDT EXTENSION 5 TOWNSHIP
(7/3/2/1, E2564, E2565 & E3416)**

RESOLVED B.91.19.07.07 -

1. THAT the applicants be informed that their applications to sell the erven at a reduced price were not approved. (DCS)
2. THAT Council obtain valuations in accordance with the provisions of section 79(18) of the Local Government Ordinance, 1939, (Ordinance 17 of 1939), for a market related selling price for erf 3416, Louis Trichardt Extension 5 township, erf 2565 and the Remainder of erf 2564, Louis Trichardt extension 5 township and that such price be used as the upset price for the erven at the intended public auction. (DCS)
3. THAT the intention of Council to sell the portion of land be advertised in the local newspapers. (DCS)
4. THAT the property referred to in paragraph 2 above be sold by means of public auction to the highest bidder subject to the standard conditions as embodied in Council's Deed of Sale. (DCS)
5. THAT the properties be developed in terms of the conditions as contained in the Louis Trichardt Town-planning Scheme, 2000. (DCS)

SellingErf3416_itm

ITEM B.92.19.07.07

**COUNCIL LAND: APPLICATION FOR PUBLIC PRIVATE PARTNERSHIP, DEVELOPMENT OF
RETAIL SHOPPING CENTRE: REMAINDER OF ERF 427, VUWANI TOWNSHIP
(7/3/2/1)**

RESOLVED B.92.19.07.07 -

THAT Council approve in principle the application received from Oasis (Pty) Ltd for the establishment of shopping malls/ business centres on a portion of erf 427 under the following conditions:

1. A site development plan be submitted.
2. The applicant submits a rezoning and subdivision application to Council for its consideration.
3. The applicant will be liable for payment for the installation of all required services for the proposed development.
4. The applicant will have to pay engineering services contributions.

Oasis_itm

(DCS)

ITEM B.93.19.07.07**TOWN PLANNING AND CONTROL: REZONING OF ERF 113, LOUIS TRICHARDT TOWNSHIP:
IN PRINCIPLE APPROVAL
(15/3/15, E113)**

RESOLVED B.93.19.07.07 -

THAT the application of Mr F Tayob to obtain in principle to rezone erf 113, Louis Trichardt township from “Residential 1” to “Residential 4” be not approved but that in principle approval be granted for rezoning to “Residential 2” zoning subject to the following terms and conditions:

1. An official application be submitted in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986).
2. No building operations may commence without approved building plans. A site
3. development plan must be submitted before any building plans can be approved.
4. Engineering services contributions will be payable upon proclamation of the amendment scheme, and will be calculated in accordance with Council’s formula for such services.
5. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning, may be required.

Erf113Principle_itm

(DCS)

ITEM B.94.19.07.07**TOWN-PLANNING AND CONTROL: APPLICATION FOR A BUSINESS SITE ON A PORTION
OF ERF 41 AT VUWANI LOCATION: INITIATIVE SA INVESTMENTS (PTY) LTD
(15/3/8)****REMARK:**

This matter was withdrawn.

ITEM B.95.19.07.07**TOWN-PLANNING AND CONTROL: APPLICATION FOR PURCHASE, SUBDIVISION AND
REZONING OF ERF 41, VUWANI TOWNSHIP: MR. N MASHABELA
(15/3/8)**

RESOLVED B.95.19.07.07 –

THAT the matter be held in abeyance pending further investigation.

SubdivisionErf41_Vuwani(Mashabela)

(DCS)

ITEM B.96.19.07.07**TOWN PLANNING AND CONTROL: REZONING OF THE REMAINDER OF ERF 163, LOUIS TRICHARDT TOWNSHIP, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 81 (15/4/2/2/1/200& E.163/R)**

RESOLVED B.96.19.07.07 -

THAT the application of Planning Concept on behalf of their client Dr N Makatu submitted to rezone the Remainder of erf 163, Louis Trichardt township from “Residential 2” to “Special for medical consulting room and related facilities” with the following Annexure :

Maximum Coverage: 60%

Maximum F.A.R.: 0.8

Maximum height: 2 storeys

Parking: 4 per 100m² G.L.F.A.

be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) subject to the following further conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
3. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning, may be required.
4. Development of the property must be in terms of the restrictions of the Louis Trichardt Town-planning Scheme, 2000.
5. All relevant health legislation and by-laws be adhered to and complied with.

Rezoning_Erf163

(DCS)

ITEM B.97.19.07.07**TOWN-PLANNING AND CONTROL: APPLICATION FOR BUSINESS DEVELOPMENT: PORTION 4 OF THE FARM VLEIFONTEIN 310 L.S. (15/3/8 & 15/B)**

RESOLVED B.97.19.07.07 -

THAT the matter be held in abeyance pending further investigations.

Portion4Vlei_itm

(DCS)

ITEM B.98.19.07.07**LED: REQUEST FOR INDUSTRIAL DEVELOPMENT LAND FOR STEEL MELTING PLANTS PROJECT****(11/4/2 & 12/3/3/66)**

RESOLVED B.98.19.07.07 –

THAT DLX Steel (Pty) Ltd & SEKOKO Resources be informed that the Executive Committee has granted approval that the said company deliver a full presentation to the Committee at a meeting scheduled for Monday, 23 July 2007 at 14:00, about proposed development of a steel melting plant in Louis Trichardt Extension 12 Township.

SteelMeltingPlants_itm

(DSP)

ITEM B.99.19.07.07**PERSONNEL: MUNICIPAL GRATUITY FUND: HOUSING LOAN****(5/5/12/1)**

RESOLVED B.99.19.07.07 -

1. THAT the Executive Committee take cognizance of the agreement to be signed between Makhado Local Municipality and the Standard Bank of South Africa in order to grant home loans to members of the Municipal Gratuity Fund. (DCS)
2. THAT the Municipal Manager be delegated to conclude the contract with Standard Bank of South Africa in order to grant home loans to the members of the Municipal Gratuity Fund.

HomeLoansGratuity_itm

(DCS)

ITEM B.100.19.07.07**PERSONNEL: JOINT MUNICIPAL PENSION FUND: HOUSING LOAN****(5/5/8/3/6)**

RESOLVED B.100.19.07.07 -

1. THAT the Executive Committee take cognizance of the agreement to be signed between Makhado Local Municipality and the Standard Bank of South Africa in order to grant home loans to members of the Joint Municipal Pension Fund. (DCS)
2. THAT the Municipal Manager be delegated to conclude the contract with Standard Bank of South Africa in order to grant home loans to the members of the Joint Municipal Pension Fund.

(DCS)

HomeLoans_itm

ITEM B.101.19.07.07**PERSONNEL: REQUEST FOR PERMISSION TO UNDERTAKE RESEARCH ON SERVICES DELIVERY AS FAR AS POWER / ELECTRICITY SUPPLY: MR R.N MULOVHEDZI OF THE UNIVERSITY OF VENDA FOR SCIENCE AND TECHNOLOGY (5/3/1)**

RESOLVED B.101.19.07.07 -

1. THAT Mr R.N Mulovhedzi be authorized to access Council`s information on services delivery as far as power / electricity supply for academic purpose with the University of Venda for Science and Technology. (DCS)
2. THAT authorization per paragraph 1 above be in line with provision of access to information, legislation and approved by the relevant Head of Department (HOD) with regard to the classification of information. (DCS)
3. THAT the applicant`s authorization must not interfere with the normal operation of the Council`s daily administration. (DCS)
4. THAT approval of the application is granted subject to the further following conditions:
 - 4.1. Applicant must furnish Council with a copy of research once completed.
 - 4.2. Applicant must indemnify Council against any claims which may result directly or indirectly from the research activity.
 - 4.3. Research information may not be used for any form of public media but only for the academic purpose. (DCS)

Research R.N Mulovhedzi_itm

ITEM B.102.19.07.07**PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: ALL MUNICIPAL DEPARTMENTS: 2007/8 FINANCIAL YEAR (6/1/1(07/08), 5/B, 5/5/2/1; 5/2/1/3)**

RESOLVED B.102.19.07.07 -

THAT the matter be referred back to the respective Departmental Heads for consultation with their respective Portfolio Councillors before it is considered by the Executive Committee at its special meeting on 24 July 2007. (MM/DCS)

SDBIPs 2007-8

ITEM B.103.19.07.07**PERSONNEL: PROPOSED REVIEW OF THE ORGANISATIONAL STRUCTURE
(5/1/2/1-10)****REMARK:**

This item was referred from item A.50.26.07.07.

RESOLVED B.103.19.07.07 -

THAT the matter be referred back to the Portfolio Committee: Corporate Services for consideration and submission to the Executive Committee on 24 July 2007.

ProposedReviewOrganogram_itm

(DCS)

ITEM B.104.19.07.07**ORGANIZATION: DELEGATED POWERS:**

(1) EXECUTIVE COMMITTEE

(2) MUNICIPAL MANAGER AND HEADS OF DEPARTMENTS

(2/1/3/2/1; 2/1/3/2/2)

REMARK:

This matter was referred from item A.57.26.07.07.

RESOLVED B.104.19.07.07 -

THAT the matter be referred back for further investigation.

(DCS)

Delegated powers_itm

ITEM B.105.24.07.07**LED: REQUEST FOR INDUSTRIAL DEVELOPMENT LAND FOR STEEL MELTING PLANTS
PROJECT**

(11/4/2 & 12/3/3/66)

RESOLVED B.105.24.07.07 –

1. THAT note be taken of the presentation delivered by the representative of DLX Steel (Pty) Ltd and Sekoko Resources about a proposed industrial development project. (DSP)
2. THAT the report be referred back for further investigation to all related matters with a view to enter into a Public Private Partnership, and submission of the outcome at the first following ordinary meeting of the Executive Committee.

SteelMeltingPlants_itm

(DCS)

ITEM B.106.24.07.07**PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: ALL MUNICIPAL DEPARTMENTS: 2007/8 FINANCIAL YEAR (6/1/1(07/08), 5/B, 5/5/2/1; 5/2/1/3)**

RESOLVED B.106.24.07.07 –

1. THAT the SDBIPs of the respective municipal departments and the Overview by the Municipal Manager for the 2007/8 financial year, as more fully set out in Annexure 1 to Annexure 12 attached to the report in this regard, be approved and that the Municipal Manager continue with the process to develop KPIs, KRAs and Targets as part of the Performance Management System of Municipality, subject to the following conditions:
 - 1.1 Targets must conform to a realistic timeframe. (ALL DIRS)
 - 1.2 Directors must amend the content of the KPIs to align with realistic timeframes, with due allowance for amongst others, accurate expenditure projections in order to align it with the cash flow projections. (ALL DIRS)
 - 1.3 The bulk of purchases of goods, materials, equipment and furniture be spread over the 1st and 2nd quarters, while the 3rd quarter accommodates the major part of project implementation and completion of projects in the 4th quarter of the financial year. (ALL DIRS)
 - 1.4 The provision of funds for performance bonuses for Section 56 and 57 Managers be referred to the 2007/08 Adjustment Budget. (ADF)
2. THAT the SDBIPs of the respective Municipal Departments be in line with the cash flow so as to ensure that realistic targets are achieved. (ALL DIRS/MM)

SDBIPs 2007-8

ITEM B.107.24.07.07**INFRASTRUCTURE BACKLOG: PROPOSED FUNDING BY EU-NEPAD (15/7/1)**

RESOLVED B.107.24.07.07 –

THAT the Executive Committee grants consent to Luke Dynamics Project CC to deliver a presentation to the Committee about the business plan to source additional funds for infrastructure projects at a meeting scheduled for 30 July 2007 at 14:00.

BacklogFunding_itm

(DSP)

ITEM B.108.24.07.07**COUNCIL LAND: PROPOSED SALE OF ERVEN 1953 AND 3456, LOUIS TRICHARDT TOWNSHIP EXTENTION 2: DEVELOPMENT PROPOSAL (E1953 & E3456)**

RESOLVED B.108.24.07.07 -

1. THAT a meeting between the Mayor, Municipal Manager, Heads of Departments and the MEC for Local Government be arranged to address the delay in the licensing process of a proposed private hospital and the outcome of the meeting be submitted in writing at the Executive Committee meeting scheduled for 8 August 2007. (DSP)
2. THAT the Executive Committee make a final ruling on the validity of the option granted for development of erven 1953 and 3456, Louis Trichardt Extension 2 Township since it dates back to 2004. (DCS)

PurchaseErf1953_itm

ITEM B.109.24.07.07**COUNCIL LAND: PROPOSED PRINCIPLE APPROVAL: LEASE OF LAND TO ERECT OUTDOOR BILLBOARDS (15/3/9; 7/3/2/3)**

RESOLVED B.109.24.07.07 –

THAT the application dated 19 February 2007 received from This Week for approval to lease municipal land on which billboards can be erected on identified sites as per Annexure B, attached to the report, be approved, subject to the following conditions:

1. The approval of the relevant Roads Agency be first acquired if signs were visible from national, provincial or district roads.
2. Municipality's approval to lease the right of advertisement on municipal land be not implemented if the relevant Roads Agency has not approved of the billboard/advertisement structure along the roads which is part of its competency
3. A market related rental for the lease of municipal land be collected
4. The term of lease be for five (5) years only, with an option to renew for a further 4 years 11 months
5. The specific proposed location of each sign must first be submitted to Executive Committee for approval before administration grants permission for erection thereof
6. Building plans of the structures must be submitted for approval before any construction is permitted
7. The lessee will be liable for payment of full costs of electricity connections and will be liable to pay for all consumption through Council's monthly billing system
8. Billboards cannot be permitted where electricity overhead lines are present
9. The provisions of the Building By-laws, Chapter XII will be enforced by Department Technical

Services

10. A standard lease agreement be concluded between Council and This Week publishing company.

ThisWeek_itm

(DCS)

ITEM B.110.24.07.07

**FINANCES: VALUATION ROLL 2008-2012 FOR MUNICIPAL JURISDICTION: PROJECT PROGRESS
(6/2/4/1; 8/3/2/689)**

RESOLVED B.110.24.07.07 –

1. THAT note be taken of the project progress in terms of the Contract concluded between C P de Leeuw Valuers (now DDP Valuers) and Municipality under Tender No. 49 of 2005. (DCS)
2. THAT it be noted that Akhile Financial Management Support Services will be tasked to undertake the public participation process for
 - 2.1 the review of Property Rates Policy, 2006
 - 2.2 the draft Property Rates Bylaws, 2007
 at an additional fee based on actual direct expenditures incurred to perform such duty. (DCS)
3. THAT the programme of action on all processes, steps and timeframes as developed by the Service Provider, be submitted to the Executive Committee meeting scheduled for 8 August 2007. (DCS)
4. THAT a briefing session of councillors and the traditional leaders be conducted in order to furnish full information of implementing the Property Rates Act, 2004 with due emphasis on public consultation and transparency. (DCS)

Progress_Valuation

ITEM B.111.24.07.07

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 31 MAY 2007
(6/1/1(2006/07))**

RESOLVED B.111.24.07.07 –

1. THAT the in-year monitoring financial report for the month of May 2007 be noted. (ADF)
2. THAT a strategy be implemented to urgently reduce debtors figure by amongst others taking the following steps: (ADF)
 - 2.1 Fill critical staff vacancies and strengthen the Debt Collection Unit in Finance Department.
 - 2.2 Review the organogram of Finance Department on urgent basis.

- 2.3 Be prompt to interrupt all service supply to consumers who fail to pay their account within the timeframe specified in the monthly accounts.
- 2.4 Old debt must be collected through the internal debt collection unit and not be handed to the Debt Collector Service Provider; only new debt which came about from the date of this Resolve may be referred to the Service Provider.
- 2.5 Campaigns to promote payment for services must be held in R293 towns.
- 2.6 Acting Director Finance/Chief Financial Officer must abide by the Debt Collection and Credit Control Policy which was adopted by Council as part of the 2007/08 financial documents.

MonitoringMay_itm

(ADF)

ITEM B.112.24.07.07

**PERSONNEL: FINANCES: CONTRACTUAL APPOINTMENT: CHIEF FINANCIAL OFFICER
SERVICE PROVIDER: INTERIM MEASURE: DEPARTMENT FINANCE
(5/3/4/3; 13/4; 13/2/4; 8/3/2/1, 6/1/1)**

RESOLVED B.112.24.07.07 –

THAT the matter be referred back to the next Portfolio Committee: Finance and LED meeting for discussion.

ProgressAkhile2_itm

(DCS)

ITEM B.113.24.07.07

**PERSONNEL: EMPLOYMENT POLICY, PRACTICE AND PROCEDURES: MANAGEMENT OF
OVERTIME
(5/5/3/B & 5/5/3/5)**

RESOLVED B.112.24.07.07 –

1. THAT the Heads of Departments be instructed to manage the overtime in their respective Departments in terms of the Council's Employment Policy, Practice and Procedures as more fully explained in the aforementioned report and the approved budget. (MM/ALL DIRS/
ADMINSTRATORS)
2. THAT Heads of Divisions / Sections and Supervisors be instructed to comply with the Council's Employment Policy, Practice and Procedures as more fully explained in the aforementioned report. (MM/ALL DIRS/
ADMINSTRATORS)
3. THAT the Municipal Manager be requested to obtain written reports wherever the Council's Employment Policy, Practice and Procedures as more fully explained in the aforementioned report is violated. (DCS/MM)
4. THAT the forms attached to the report be approved and that claims for overtime and standby allowances be submitted to the Co-ordinator on a weekly basis on Mondays.

ManagementOvertime_itm

(MM/ALL DIRS/LSchoeman)

ITEM B.114.24.07.07**DOMESTIC MATERIALS: OUTSOURCING: REFUELING OF COUNCIL VEHICLE SERVICES
(8/3/2/711)**

RESOLVED B.114.24.07.07 –

THAT fuel services for municipal vehicles be outsourced to fuel dealers close to the area where Council vehicles and machines are operating at Ha-Ravele, and that the principle of outsourcing be applied in all regions for economical reasons.

Fuel_itm (ADF)

ITEM B.115.24.07.07**RECORDS: ACCESS TO INFORMATION MANUAL
(9/B & 1/3/22/2)**

RESOLVED B.115.24.07.07 –

1. THAT Council approves the Municipality's Access to Information Manual as attached to the report in this regard as Annexure A. (DCS)
2. THAT the Manual be published in English, Afrikaans, Northern Sotho, Xitsonga and Tshivenda in the Provincial Gazette and that the Municipal Manager be authorised to contract the necessary translation services for this purpose. (DCS)
3. THAT the Manual be made available to the Provincial Archivist, South African Human Rights Commission and the Head Office of Makhado Municipality and its Regional Offices.

ManualAccessInfo_itm (DCS)

CONFIDENTIAL**ITEM CB.116.24.07.07****TENDER 47 OF 2004: SALE OF PORTION OF LOUIS TRICHARDT EXTENSION 9 TOWNSHIP
(WEST)
(8/3/2/644)**

RESOLVED CB.116.24.07.07 –

THAT the matter be referred back to the Director Corporate Services for full information and submission again at the Executive Committee scheduled for 26 July 2007, with due allowance for the following:

1. All annexures referred to in the report and its annexure must form part of the next submission.
2. Mr C N Kharidza, Assistant Manager Corporate Services must attend the Executive Committee meeting when the matter is considered in order to clarify possible questions which the Committee may wish to pose.

SaleExtension9_itm (DCS)

ITEM B.116(a).24.07.07**PERSONNEL: PROPOSED REVIEW: ORGANISATIONAL STRUCTURE
(5/1/2/1-10)****REMARK:**

This item was referred from item A.59.26.07.07.

RESOLVED B.116(a).24.07.07 –

THAT the matter be held in abeyance for further consideration pending the outcome of topic discussions on district level.

ProposedReviewOrganogram_itm

(DCS)

CONFIDENTIAL**ITEM CB.117.26.07.07****TENDER 47 OF 2004: SALE OF PORTION OF LOUIS TRICHARDT EXTENSION 9 TOWNSHIP
(WEST)
(8/3/2/644)****REMARK:**

When Council members were given an opportunity to ask questions and clarification about Executive Committee delegated matters, Council directed that the Executive Committee resolution in this regard must not be implemented until an item with an independent legal opinion in the above regard has been generated for Council's consideration.

RESOLVED CB.117.26.07.07 –

THAT the implementing of the following Executive Committee Resolution be held in abeyance pending the submission to Council (in session) of an independent legal opinion for Council's consideration, and that the matter not be concluded under delegated powers of the Executive Committee. (DCS)

“1. THAT the Deed of Sale for the purchase of the above-mentioned property be cancelled for the reason that the conditions which read:

2.2 *The Makhado Municipality delivering to Day Break Properties 7 (Pty) Ltd confirmation in writing that the Municipality has no objection to the sale of shares in respect of Day Break Properties 7 (Pty) Ltd from the Sellers being The Trustees for the time being Vino Ramjee Family Trust, Ngwilimani Asron Funyufunyu and Nishid Dosa to the Purchaser being Imbali Props 27 (Pty) Ltd.*

2.3 *The sale of shares relating to Day Break Properties 7 (Pty) Ltd is to be concluded between the parties mentioned above, prior to the transfer of the property referred to in paragraph 2.4 below to Day Break Properties 7 (Pty) Ltd.,*

as set out in the guarantees for the purchase of the land were unacceptable in that they violate the tender specification and procurement policy of the Municipality and further that the guarantees were delivered beyond the extended date of 28 February 2007 granted by the Municipality under Resolution B.8.08.02.07.

2. THAT the Municipality claim from the Purchaser the accumulated interest of the purchase price from the date of conclusion of the Deed of Sale in the above regard.” (DCS)

SaleExtension9_itm

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10. **PETITIONS**

None

11. **NEW MOTIONS**

None

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The meeting was closed and adjourned at 18:20.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), by a resolution of the Council passed at the meeting held on 25 October 2007.

CHAIRPERSON

lh/CouncilMinutes_44